

Section 3.4 D Missing Person or Runaway Report Procedures

This attachment outlines procedures when reporting a missing or runaway child who is in the custody or under the supervision of the Children's Division (CD). This includes all children in CD custody less than age 21.

Missouri statutes 43.400 – 43.410, RSMo., contain provisions for reporting missing persons to the State Highway Patrol. According to these statutes, a missing person must include one of the following:

- (a) Is physically or mentally disabled to the degree that the person is dependent upon an agency or another individual;
- (b) Is missing under circumstances indicating that the missing person's safety may be in danger;
- (c) Is missing under involuntary or unknown circumstances; subject to the provisions of (a), (b), (d), (e), and (f) of this subsection;
- (d) Is a child or juvenile runaway from the residence of a parent, legal guardian, or custodian;
- (e) Is a child and is missing under circumstances indicating that the person was, or is, in the presence of or under the control of a party whose presence or control was, or is, in violation of a permanent or temporary court order and fourteen or more days have elapsed, during which time the party has failed to file any pleading with the court seeking modification of the permanent or temporary court order;
- (f) Is missing under circumstances indicating that the person was or is in the presence of or under the control of a party whose presence or control was or is in violation of a permanent or temporary court order and there are reasonable grounds to believe that the person may be taken outside of the United States;

For general purposes, a foster child is considered to be missing or on run status as soon as their physical whereabouts are unknown to CD or physical custodian. A foster child is under the care and custody of the CD and responsibility therefore lies with the CD staff, contracted service workers, and placement provider to ensure the safety and well-being to the best of their ability.

Runaway Child Protocol:

When a child is determined to be a runaway, the division or contracted service worker should take the following steps.

1. Immediately notify law enforcement to file a “missing child report.” The placement provider should initiate contact with local law enforcement and the child’s worker if the child is missing or has run away from their premises.
2. Notify juvenile officer, Guardian Ad Litem and the child’s parents.
3. Submit the necessary paperwork to the juvenile office to request the court issue a “capias” or “pick-up” order. The court order provides police or Division staff with the authorization to locate and detain a runaway child as a delinquent. A written report must be filed with the juvenile office informing the court of the child’s run from Division care.

NOTE: Not all court circuits will issue a capias or pick-up order. Check with your local juvenile office or court for protocol and required paperwork when a child is on the run. If local court will not issue a capias or pick-up order, a local protocol should be developed with the juvenile office or court.

4. Contact family members, friends, counselors, school faculty or others who may have information about the whereabouts of the child.
 - a. The worker should continue to make these contacts a minimum of once per month until the child is located.
 - b. Record all contact or attempted contact in the case narrative.
5. Update the child’s SS-61.
 - a. For traditional , BFC, Career and emergency foster care placements, change placement type, field 47, to “RUN”, and maintenance code, field 56, to “3 – No maintenance payment” once the child is considered a runaway.
 - b. For career or residential placement, maintenance payment continues through the 7th day from which the child ran away in cases where the bed or placement will be held specifically for that child. In this event, continue to report the prior placement until the 8th day, when placement type, field 47, should be changed to “RUN.” Residential payments are not generated from the SS-61, but for career placements the maintenance code, field 56, should be changed to “3 – No maintenance payment.”
6. Cross check Income Maintenance screens IPAR, IMES, as well as Medicaid screens MXIX and MCII on production. Food stamps assistance can be checked through FAMIS on the FAPC screen. Memo CD-04-40 provides specific details on how to access FAPC information.

- a. Check systems monthly to see if the child is receiving assistance or is listed in separate household receiving benefits.
- b. Record system checks in the case narrative.

Child Abduction Protocol:

When a child is determined to be missing and there is reason to suspect that the child has been abducted, the worker shall take the following steps:

1. Immediately notify local law enforcement that the child has been abducted. The placement provider should contact local law enforcement and the child's worker if the child has been abducted from their premises. Provide law enforcement the following information:
 - a. Description of victim and photo of child if requested
 - b. Time, location and description of the abduction
 - c. If known, description of suspect including vehicle and direction of travel

Law enforcement will assess the individual case information and determine whether to issue a local or state-wide alert on the abduction. The Missouri Amber Alert system is an example of a state-wide alert.

2. Immediately notify direct supervisor, Circuit Manager, and Regional Director of child abduction.
3. Immediately send out statewide Protective Service Alert through state email using the following guidelines:
 - a. Discuss with direct supervisor whether applicable and obtain approval from Circuit Manager.
 - b. Draft email to include:
 - i. Identifying information including name, date of birth, DCN, and social security number of child.
 - ii. Narrative information about the child's abduction including last known location and other information that may be helpful.
 - iii. Worker contact information including county address and telephone number.
 - c. Send protective service alert email information to "CD_Request@dss.mo.gov" for state-wide distribution. Repeat every 90 days until child is recovered.

NOTE: Protective Service Alerts are normally used to notify other division offices or child protective service agencies in other states of past or current concerns regarding a specific family or to assist in locating families that CD has

involvement with. This practice is being expanded to include alerts on run away and missing children.

4. Notify juvenile office, Guardian Ad Litem, the child's parents, and others as appropriate.
5. Submit a written report to the court of jurisdiction notifying them of the abduction and actions taken within one working day.
6. Update the child's SS-61.
 - a. For traditional , BFC and emergency foster placements, change placement type, field 47, to "RUN", and maintenance code, field 56, to "3 – No maintenance payment" once the child is considered a runaway.
 - b. For career or residential placement, maintenance payment continues through the 7th day from which the child ran away in cases where the bed or placement will be held specifically for that child. In this event, continue to report the prior placement until the 8th day, when placement type, field 47, should be changed to "RUN." Residential payments are not generated from the SS-61, but for career placements the maintenance code, field 56, should be changed to "3 – No maintenance payment."
7. Document all actions in the case record.

Child Return or Recovery:

When a runaway or missing child is located, the division or contracted service worker should complete the following:

1. Immediately assess the safety of child.
2. Notify law enforcement, juvenile office, Guardian Ad Litem, the placement provider, the child's parents, and their attorney as appropriate of the child's return or recovery.
3. Determine whether to:
 - a. return child to the previous placement provider
 - b. place child in new or temporary placement
 - c. place child in a more secure or restrictive environment
 - d. seek approval for non-traditional placement (i.e. friend of child, older sibling, parents who rights are been terminated but continue relationship with child.)
 - e. arrange for medical or mental health screening.

2. Update the child's SS-61 to reflect current placement type and begin payment or resume payment for pre-existing BFC or Career home.

3. Change residence code on child's SS-61 to reflect current placement in order to re-enroll child in MC+.

4. Schedule Family Support Team (FST) meeting within 72 hours of child's return to address:

- safety concerns
- reason the child ran away (i.e. didn't like the rules, placement issues, couldn't handle responsibilities in home, ran to be with friends, parents, others)
- additional support services the child may need
- unexplored or non-traditional placements options
- potential changes in the child's case plan

It is important for FST members to consider case specific information when addressing these issues or making changes to the child's case plan. Members should consider the specific needs of the child especially when considering alternative placement settings. Any child age 12 or over should be included in the FST meeting.

Failure to Locate Protocol

The first priority of the worker shall always be to locate a runaway child and remedy the reasons that the child has run. However, there may be individual cases where the Division may want to explore a request for release of jurisdiction from the court. All requests for release of custodial responsibility should be evaluated on a case by case basis by the Children's Division staff or contracted service worker, their direct supervisor, and FST team members. During the FST meeting, there should be a thorough review of documented efforts and consideration of the following factors:

- the age of the child
- the number and type of previous placements
- the current and concurrent case plan
- whether TPR has or has not occurred
- the child's progress and compliance in cooperating with the division's services
- the child's run history (one time event verses chronic runs)
- whether the child is running to a specific place or person
- is there an exit plan in place for the child to provide on-going support?
(See memorandum CD04-56 for details on exit planning)

It is important that a child never be released from custody without an exit plan in place as it is our responsibility to ensure that youth leaving the foster care system either have support services in place or know how to obtain them as needed in the future. Non-compliance cannot be used as the sole reason to request termination of custodial duties by the division. With this understanding, there may be rare situations where it is appropriate to request a release of jurisdiction when it is clear that there is a documented history of chronic and repeated non-compliance on the child's part to accept placements and services offered by the Division or in cases where the child has been missing without contact for a minimum of twelve months. This **does not** include cases where the child has run to a non-approved placement and remains in contact with the worker. Placement issues need to be addressed by the worker, child, FST members and the court.

If the court of jurisdiction does not agree to a release of custody and the child is not located, the worker should continue to:

1. Contact law enforcement, family, relatives, friends and all other contacts once per month in an effort to locate the child for a minimum of six months;
2. Monthly cross check Income Maintenance screens IPAR and IMES as well as Food stamps screen through FAMIS system on the FAPC screen;
3. If after six months, the child is not located, continue to contact law enforcement, relatives and other contacts on a quarterly basis in effort to locate child;
4. continue to provide written summary to court on all actions taken to locate child; and
5. Resubmit request for release of jurisdiction at all court hearings.

MEMORANDA HISTORY: CD04-85